

## REMARKS

Reconsideration of this application, as amended, is respectfully requested.

This application has been reviewed in light of the Office Action dated March 12, 2003. Claims 1-24 are currently pending in the application. Claims 1-5, 9-17, and 21-24 have been rejected, and Claims 6-8 and 18-20 have been objected to, but still have been found to contain allowable subject matter. It is gratefully acknowledged that the Examiner has withdrawn the Finality of the Office Action during a telephone interview on April 3, 2003, with Douglas M. Owens.

In the Office Action, the Examiner has again rejected Claims 1, 3-5, 9-13, 15-17, and 21-24 under 35 U.S.C. § 103(a) as being unpatentable over applicants' admitted prior art in view of *Scott et al.* (U.S. 6,154,486) and *Hashimoto* (U.S. 5,375,252), and Claims 2 and 14 under 35 U.S.C. § 103(a) as being unpatentable over applicants' admitted prior art in view of *Scott et al.*, and further in view of *Nakamura et al.* (U.S. 6,314,090). In addition, the Examiner still finds Claims 6-8 and 18-20 objected to, but allowed if re-written in independent form to include all the limitations of the base claim and any intervening claims.

As stated above, the Examiner has rejected Claims 1 and 13, the independent claims of the present application, under 35 U.S.C. § 103(a) as being unpatentable over applicants' admitted prior art in view of *Scott* and *Hashimoto*. Specifically, the Examiner asserts that applicant's admitted prior art in view of *Scott* discloses all the elements of Claims 1 and 13 except for intermittently transmitting a preamble signal during a preamble interval prior to a transmission interval of a reverse access channel message, which is allegedly disclosed in *Hashimoto*.

*Hashimoto* discloses transmitting from a plurality of transmitters a selective call signal, which includes a shortened preamble signal and a code word, after a predetermined transmission time delay has elapsed. The shortened preamble of the selective call signal has a length equal to or longer than a sum of a maximum transmission time delay and a predetermined minimum length of the preamble signal. It is respectfully submitted that this process cited by the Examiner is not an

equivalent of "intermittently transmitting a preamble" as disclosed in Claims 1 and 13 of the present, nor does *Hashimoto* discloses "intermittently transmitting a preamble" in any other portion.

More specifically, independent Claim 1 and amended independent Claim 13 of the present application disclose "a transmitter" for "intermittently transmitting a preamble". For the selective call signal in *Hashimoto*, a plurality of transmitters (in FIG. 5, Transmitters #1-#3) each transmit a preamble signal after a respective delay time (D1-D3). In addition, in *Hashimoto*, the shortened preamble of the selective call signal has a length equal to or longer than a sum of a maximum transmission time delay and a predetermined minimum length of the preamble signal. Therefore, it is respectfully submitted that FIG. 5 in *Hashimoto* actually illustrates three different transmitters for transmitting three different preambles, not a single transmitter for intermittently transmitting a preamble signal as disclosed in Claim 1 of the present application.

Further, the Examiner alleges that because each transmitter in *Hashimoto* is transmitting a preamble at different times, the transmission of the preamble signal is intermittent. However, while in *Hashimoto* each transmitter may start transmitting a preamble signal at a different time, due to the varying lengths of each of the preamble signals, each transmitter will eventually be transmitting a preamble signal at the same time, therefore not intermittently.

In addition, even using the Examiner's definition of intermittent with *Hashimoto*, *Hashimoto* cannot perform intermittent transmission using a single transmitter, as disclosed in independent Claims 1 and 13 of the present invention. Therefore, it is respectfully submitted that independent Claims 1 and 13 are patentably distinct from applicants' admitted prior art in view of *Scott* and *Hashimoto*, and it is respectfully submitted that the rejections of Claims 1 and 13 be withdrawn.

It is respectfully submitted that Claims 1 and 13 are in condition for allowance. Without conceding the patentability per se of dependent Claims 2-12 and 14-24, they are likewise believed to be allowable by virtue of their dependence on Claims 1 and 13, respectively. Accordingly, reconsideration and withdrawal of the rejections and objections of dependent Claims 2-12 and 14-24 are respectfully requested.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 1-24 are in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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